

IANDIORIO & TESKA

INTELLECTUAL PROPERTY LAW ATTORNEYS

260 BEAR HILL ROAD
WALTHAM, MASSACHUSETTS 02451-1018

Tel: (781) 890-5678
Fax: (781) 890-1150
e-mail: admin@iandiorio.com
web: www.iandiorio.com

Joseph S. Iandiorio
Kirk Teska
Jason D. Shanske
Thomas E. Thompkins, Jr.
Roy J. Coleman
David W. Poirier

June 9, 2005

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUBJECT: Applicants: Cunningham et al.
Serial No: 09/543,612
Filed: April 5, 2000
For: APPARATUS AND METHOD FOR MEASURING
THE MASS OF A SUBSTANCE
Examiner: Chapman Jr., John E.
Group: 2856
Confirm. No.: 6510
Docket No: DR-308J

Dear Sir:

Enclosed is a RESPONSE in reply to the Office Action mailed February 9, 2005 in the subject Application, including an Affidavit. Also enclosed is an Affidavit under 37 CFR §1.312, with an attached product brochure.

Further enclosed is a Petition for Extension of Time within the First Month, along with a check in the amount of \$60.00 for the fee for a small entity to obtain the extension.

If for any reason this RESPONSE is found to be INCOMPLETE, or if at any time it appears that a TELEPHONE CONFERENCE with counsel would help advance prosecution, please telephone the undersigned or his associates collect in Waltham, Massachusetts, at (781) 890-5678.

If any payment during prosecution is found to be incorrect, please charge any deficiency or credit any overpayment to my Deposit Account No. 09-0002. A copy of this letter is enclosed for use by the Finance Branch in the event that it is necessary to make any charge or credit to my deposit account.

Commissioner for Patents

June 9, 2005

Page 2

In addition, pursuant to Rule 1.136(a)(3), the Office is hereby authorized to treat any future reply requiring an extension of time as incorporating a request therefor. Also, any request or Petition for an Extension of Time notwithstanding an inadvertent reference in the Petition to a shorter period of time is to be treated as requesting the appropriate length of time.

Kindly acknowledge receipt of the foregoing by returning the enclosed self-addressed postcard.

Sincerely,



David W. Poirier
Reg. No. 43,007

DWP:wj
Enclosures

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage via first class mail in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

June 9, 2005.


Wynne D. Janis



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Cunningham et al.
Serial No: 09/543,612
Filed: April 5, 2000
For: APPARATUS AND METHOD
FOR MEASURING THE MASS
OF A SUBSTANCE

Confirm. No: 6510
Group: 2856
Examiner: Chapman Jr., John E.
Docket No.: DR-308J

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage via first class mail in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, Alexandria, VA 22313-1450, on June 9, 2005.


Wynne D. Janis

Dear Sir:

In response to the Office Action mailed February 9, 2005, please consider the following remarks and the Affidavit enclosed herewith in the above-identified Application as follows:

Remarks begin on page 2, *infra*.